

89964JLT

Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Patrick Gerard, et al

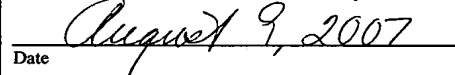
APPARATUS AND METHOD FOR
TREATING IMAGING MATERIALS

Serial No. 10/565,054

Filed January 17, 2006

Group Art Unit:

Examiner:

I hereby certify that this correspondence is being deposited TODAY with the
United States Postal Services as First Class Mail- in an envelope addressed to:
Commissioner for Patents, Alexandria, VA 22313-1450
Sherryl A. Payne
DateMail Stop: PCT
Commissioner for Patents
Office of PCT Legal Administration
Alexandria, VA. 22313-1450
Attn: PCT Legal Office

Sir:

**SECOND PETITION FOR WITHDRAWAL OF ABANDONMENT FOR
FAILURE TO RECEIVE AN OFFICE ACTION**

In Response to the Decision On Petition Under 37 CFR 1.181 mailed 31 July 2007, Petitioner hereby respectfully requests that the holding of abandonment of the above referenced application be withdrawn. The Official Action referred to by the Office, (Missing Requirement Letter , mailed 5/23/2006) was never received by the Petitioner and a search of the file jacket and docket records indicate that the Official Action was not received. Petitioner made several attempts to locate the application on the PAIRS database to ascertain the status of the filed application and could not find the data in either Public or Private Pairs. On February 16, 2007, Petitioner mailed a Status Inquiry regarding the application. On May 4, 2007, Petitioner located the application in PAIRS by searching the Docket number field. On that date it was discovered the case had been abandoned. From the Image File Wrapper in PAIRS, Petitioner printed Form 905 (371 Formalities Notice) which indicates a mail date by the Patent Office to Petitioner of May 23, 2006. The Petitioner's Customer Number does not appear on said Notice and said Notice was never received by Petitioner.

Pursuant to the practice adopted in 1156 OG 53, dated November 16, 1993, enclosed herewith are copies of the cover of the docket file as well as a summary from the Petitioner's automated docketing system, each indicating where the Official Action would have been entered had it been received.

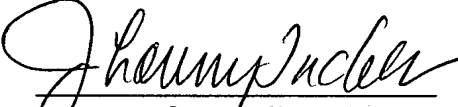
Additionally, in Response to the Decision, Petitioners have provided a true docket record listing of all replies due on 23 July 2006 generated from our computer database. An entry for the present application is not present in this docket record.

A response to the Notification of Missing Requirements and the originally executed Declaration was previously submitted.

Please charge any fees due for the late filing of the Declaration, to Eastman Kodak Company Deposit Order Account Number 05-0225.

It is understood that no fee is required for the filing of this petition, the granting of which is hereby respectfully solicited.

Respectfully submitted,


Attorney for Applicant(s)
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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

Docket/Atty	89964JLT	Country	US	SN	10/565,054	Filed	1/17/2006
Agent Ref.		Priority Country	PCT	SN	PCT/EP03/07797	Filed	07-17-2003
Patent No.		Issue Date		FFR		ATF	
Inventor(s)	Patrick Gerard, Gilbert Machuel, Celin Savariar-Hauck						
Title	APPARATUS AND METHOD FOR TREATING IMAGING MATERIALS						
Actions							
1	1/17/2006 - IDS		16				
2	1/17/2006 - Preliminary Amendment		17				
3	2/16/2007 - Status Change		18				
4			19				
5			20				
6			21				
7			22				
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IPMaster (v1.7.0) - [Patent 113695 of 127778]

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Docket Number: 89964
Country: United States
Case Type: Regular
Relation Type: Original Filing
Filing Type: Patent Cooperation Treaty
Filing Number:

Attorney: J. Larry Tucker
Agent:
IP Portfolio Code: 034 - Commercial Printing Technol
Current Owner: Kodak Polychrome Graphics, Gmb
IPC: Andrew J. Anderson
Inventor (ex ABC-0123)

APPARATUS AND METHOD FOR TREATING IMAGING MATERIALS

Event	Related ID	PRD/EWO	Title	Designated	Access/IRB	Class/Invent	Class/Invent	Class/Invent
File Date	Additional Party In	Entered	Access	Class/Invent	Class/Invent	Class/Invent	Class/Invent	Class/Invent
U.S. Filing Date			1/17/2006					
Info Disc. Statement			1/17/2006					
Preliminary Amendment			1/17/2006					
Assignment			3/17/2006					
Declaration			3/17/2006					
Assignment			4/11/2006				017471; 0060-0062	
Published			5/17/2006					
Filing Receipt			5/17/2006					
Status Inquiry			2/16/2007					
Communication			5/1/2007				Notification of	
1st Office Action			1/17/2008					

Created: 12/20/2005 Updated: 5/4/2007 10:03:39 AM By: MSK006

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Status Code	Action Due Date	Country WIPO	Action Description	Docket Number	Application Number	Application Date	Attorney Name	Notes	Action Code
F	7/23/2006	US	Filing Receipt	91851	11/387,491	3/23/2006	Susan L. Parulski		FIR
F	7/23/2006	US	Filing Receipt	92098	11/387,492	3/23/2006	Stephen H. Shaw		FIR
F	7/23/2006	US	Filing Receipt	92246	11/387,489	3/23/2006	Stephen H. Shaw Justin D.		FIR
F	7/23/2006	US	Assignment	87002	11/409,905	4/24/2006	Petruzzielli		ASG
F	7/23/2006	US	Declaration	87002	11/409,905	4/24/2006	Justin D.		DEC
F	7/23/2006	US	Response	87002	11/409,905	4/24/2006	Petruzzielli		RES
F	7/23/2006	US	Drawings	87002	11/409,905	4/24/2006	Justin D. Petruzzielli		DRG
G	7/23/2006	US	Assignment	91745	11/409,883	4/24/2006	Susan L. Parulski		ASG
G	7/23/2006	US	Declaration	91745	11/409,883	4/24/2006	Susan L. Parulski		DEC
G	7/23/2006	US	Response	91745	11/409,883	4/24/2006	Susan L. Parulski to Notice to File Missing Parts		RES
F	7/23/2006	US	Status Inquiry	83862	10/028,035	12/20/2001	Andrew J. Anderson		STA
G	7/23/2006	US	Authorization to Pay Final Fee	80724	09/574,950	5/19/2000	Frank Pincelli		ATP
G	7/23/2006	US	Authorization to Pay Final Fee	67244	10/621,777	7/17/2003	Frank Pincelli		ATP
F	7/23/2006	US	Response	87887	10/801,997	3/16/2004	Arthur E. Kluegel	To Res. Req.	RES
F	7/23/2006	US	1st Office Action	87115	10/897,603	7/23/2004	Stephen H. Shaw		1OA
G	7/23/2006	US	1st Office Action	86132	10/897,599	7/23/2004	Roland Schindler		1OA
F	7/23/2006	US	Response	82935	10/922,529	8/20/2004	Nancy R. Simon	To Res. Req.	RES